

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:
BRADLEY SHAMON NELMS
TIWANA J NELMS

CASE NO: 14-52360 K

Debtors

**TRUSTEE'S OBJECTION TO CONFIRMATION OF
DEBTORS' CHAPTER 13 PLAN**

NOW COMES, Mary K. Viegelahn, Chapter 13 Trustee in the above captioned case, and files this Objection to Confirmation of Debtors' Chapter 13 Plan. In support thereof, the Trustee would show the Court the following:

1. On September 18, 2014, the above named Debtors filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.
2. The Chapter 13 meeting of creditors pursuant to 11 U.S.C. § 341(a) ("341 meeting") was concluded on **October 22, 2014**.
3. The Trustee asserts that Springleaf Financial has filed a secured claim for \$3,581.75 in the Debtors' plan. The Debtors listed Springleaf Financial as unsecured in their plan. The Trustee submits the Debtors need to amend the plan to provide for Springleaf Financial to be paid as secured or object to the claim.
4. The Trustee asserts the Debtors' Attorney Disclosure and Plan reflect \$112.00 in fees paid. However, the Statement of Financial Affairs indicates \$100.00 in fees paid. Even though this is a small amount of difference, the Trustee needs to be sure the amount of attorney fees in the plan is correct. The Trustee submits the Debtors need to amend to correct whichever amount is not correct.
5. The Trustee asserts the Debtors have the following high expenses on their Schedule J: Food at \$1,150.00 monthly, Personal Care at \$240.20 monthly and Transportation at \$645.00 monthly. The Trustee would request strict documentation of these expenses. The Trustee submits that pursuant to 11 U.S.C. §1325(a)(3), the Debtor's plan needs to be proposed in good faith. The Trustee submits that the Debtors' plan is not proposed in good faith when their Schedule J has high expenses that exceed a level necessary for a comfortable but modest lifestyle. The Trustee submits the expenses should be reduced to a more reasonable level.

6. The Trustee cannot recommend Confirmation for all the reasons stated above and reserves her right to amend her objection to Confirmation.

WHEREFORE, PREMISES CONSIDERED, the Trustee requests that, the Court deny confirmation of the Debtor(s)' Chapter 13 plan as it fails to meet the requirements set forth in 11 U.S.C. §§ 1325(a)(1) and (a)(3), dismiss Debtor(s)' Chapter 13 case; and for such other relief as the Court find just and equitable.

Date: November 03, 2014

/S/

DAVID W. VAN ZYL P39875 (MI)
STAFF ATTORNEY FOR THE CHAPTER 13 TRUSTEE
dvanzyl@sach13.com
10500 Heritage Blvd, Ste. 201
San Antonio, TX 78216
(210) 824-1460 fax:(210) 824-1328

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:

CHAPTER 13

**BRADLEY SHAMON NELMS
TIWANA J NELMS**

DEBTOR(S)

CASE NO.: **14-52360 K**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached document was served on
November 03, 2014 by First Class Mail, upon the following:

Debtor(s):

BRADLEY SHAMON NELMS
TIWANA J NELMS
1806 MOUNTAIN STAR
SAN ANTONIO, TX 78251

Attorney For Debtor(s)
VANHEMELRIJCK LAW OFFICES LP
1100 NW LOOP 410 #215
SAN ANTONIO, TX 78213

AIR FORCE FEDERAL CREDIT UNION
1560 CABLE RANCH ROAD #200
SAN ANTONIO, TX 78245

American General Financial/Springleaf Fi
Attention: Bankruptcy
PO Box 3251
Evansville, IN 47731

Attorney General
Child Support
P.O. Box 12017
Austin, TX 78711

Capital 1 Bank
Attn: General Correspondence
Po Box 30285
Salt Lake City, UT 84130

Chase
P.O. Box 15298
Wilmington, DE 19850

Collection Services
180 E Burgess Rd Ste G
Pensacola, FL 32503

CREDIT CONTROL CORP
11821 ROCK LANDING DR
NEWPORT NEWS, VA 23606

Dept Of Ed/sallie Mae
11100 Usa Pkwy
Fishers, IN 46037

ELGIN FEDERAL CREDIT UNION
838 N EGLIN PKWY NE
FT WALTON BEACH, FL 32547-2592

Equifax
PO Box 740241
Atlanta, GA 30374

Experian
PO Box 9701
Allen, TX 75013

First Premier Bank
3820 N Louise Ave
Sioux Falls, SD 57107

Great Plains Lending
Attn: Customer Support
1050 East 2nd St, Box 500
Edmond, OK 73034

HUD
615 East Houston Street, Suite 347
San Antonio, TX 78205

Highlights for Children
PO BOX 6381
Harlan, IA 51593

Internal Revenue Service
Special Procedures-Insolvency
P.O. Box 7346
Philadelphia, PA 19101-7346

Merit Financ
SFC Central Bankruptcy
PO Box 1893
Spartanburg, SC 29304

Midland Funding
8875 Aero Dr Ste 200
San Diego, CA 92123

Military Star
3911 S Walton Walker Blv
Dallas, TX 75236

Onemain Financial
6801 Colwell Blvd
Irving, TX 75039

Pinnacle Credit Service
Attn: Bankruptcy
PO Box 640
Hopkins, MN 55343

PREFERRED CREDIT INC
P O BOX 1970
ST CLOUD, MN 56302

REGIONAL MANAGEMENT
CORPORATION
P O BOX 776
MAULDIN, SC 29662

SGS Finance, Inc
201 E Abram St, Ste 120
Arlington, TX 76010

Security Finance of Texas, L.P.
d/b/a Merit Finance
2180 Jackson Keller Rd
San Antonio, TX 78213

SPRINGLEAF FINANCIAL SERVICES INC
P O BOX 3251
EVANSVILLE, IN 47731

Sun Loan
7121 Us Hwy 90 Ste 170
San Antonio, TX 78227

Sun Loan #183
7121 Us Hwy 90 Ste 170
San Antonio, TX 78227

Texas Loan Corporation
201 E Abram Street
Suite 120
Arlington, TX 76010

Tinker Fcu
Po Box 45750
Tinker AFB, OK 73145

Trans Union
PO Box 2000
Chester, PA 19022

TreeMac Funding Group, LLC
8340 Meadow Rd, Ste.244
Dallas, TX 75231

United States Attorney
601 N.W. Loop 410, Suite 600
San Antonio, TX 78216

United States Attorney
IRS/HUD/VA/Department of Education
601 N.W. Loop 410, Suite 600
San Antonio, TX 78216

United States Attorney
SOCIAL SECURITY ADMINISTRATION
601 N.W. Loop 410, Suite 600
San Antonio, TX 78216

United States Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

United States Attorney General
IRS/HUD/VA/Department of Education
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

United States Attorney General
SOCIAL SECURITY ADMINISTRATION
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

VA REGIONAL OFFICE
OFFICE OF DISTRICT COUNSEL
2515 MURWORTH DRIVE
HOUSTON, TX 77054

Webbank
215 S State St
Salt Lake City, UT 84111

VULCAN ASSOCIATES
dba LIONHEART INVESTMENT
8323 CULEBRA RD, STE 111
SAN ANTONIO, TX 78251

SINGH LAKHBIR
11606 DENSE STAR
SAN ANTONIO, TX 78245

SPRINGLEAF FINANCIAL SERVICES OF
TEXAS, INC
ATTN: KELLIE A. MEAGHER
P O BOX 3251
EVANSVILLE, IN 47731-3251

QUANTUM3 GROUP LLC
ACE CASH EXPRESS INC
P O BOX 788
KIRKLAND, WA 98083

QUANTUM3 GROUP LLC
P O BOX 788
ATTENTION: DHARMINDER S. SANDHU,
AUTHORIZED AGENT
KIRKLAND, WA 98083

AIR FORCE FEDERAL CREDIT UNION
ATTN:HELEN COLLENBACK
1560 CABLE RANCH ROAD, STE 200
SAN ANTONIO, TX 78245

WESTERN SHAMROCK DBA NATIONAL
FINANCE COMPANY
801 S ABE STREET
SAN ANGELO, TX 76903

WESTERN SHAMROCK
DBA WESTERN FINANCE
801 S ABE ST
SAN ANGELO, TX 76903

ARMY & AIR FORCE EXCHANGE
SERVICES
BASS & ASSOCIATES
3936 E FT LOWELL ROAD, SUITE 200
TUCSON, AZ 85712

ARMY &AIR FORCE EXCHANGE
SERVICES
SUSAN KARDER, ADMIN ASSIST
BASS & ASSOCIATES PC
3936 E FT LOWELL RD
TUSCON, AZ 85712

ARMY & AIR FORCE EXCHANGE
SERVICES
BASS & ASSOCIATES, P.C.
ATTN: RITA TORRES
3936 E FT LOWELL ROAD, SUITE #200
TUCSON, AZ 85712

PREFERRED CREDIT, INC
ATTN: TRAVIS WELDON
P O BOX 1970
ST CLOUD, MN 56302

REGIONAL MANAGEMENT
CORPORATION DBA ANCHOR FINANCE
FIRST COMMUNITY CREDIT, SUN
FINANCE,
ATTN: BRITANNIE LEONARD
P O BOX 776
MAULDIN, SC 29662

/S/

DAVID W. VAN ZYL